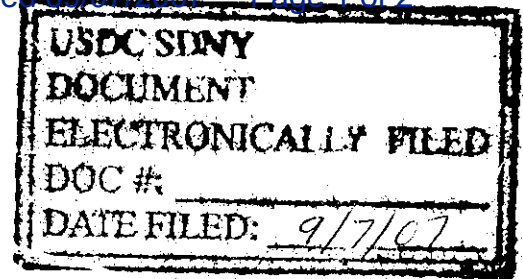


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK



----- x
EMILIANO SALAS,

Plaintiff,

-against-

99 CENTS FOR YOU, INC.,

Defendant.
----- x

:
:
: 07 Civ. 3430 (BSJ) (AJP)

: **ORDER OF DISMISSAL ON CONSENT**

ANDREW J. PECK, United States Magistrate Judge:

The parties having informed the Court that they have reached a settlement agreement in principle and are finalizing settlement documents (see attached letter), IT IS HEREBY ORDERED THAT this action is dismissed with prejudice and without costs, provided, however, that the Court retains jurisdiction for a period of 90 days hereof solely to enforce the terms of the settlement. All pending motions are denied as moot.

SO ORDERED.

DATED: New York, New York
September 7, 2007



Andrew J. Peck
United States Magistrate Judge

Copies **by fax & ECF** to: Justin A. Zeller, Esq.
Antonia C. Kousoulas, Esq.
Judge Barbara S. Jones

KOUSOULAS & ASSOCIATES P.C.
ATTORNEYS AT LAW

41 MADISON AVENUE • 40TH FLOOR
NEW YORK, NEW YORK 10010-2202



September 7, 2007

Via Facsimile 212-805-7933
Hon. Andrew J. Peck
United States District Court
Southern District of New York
500 Pearl Street
New York, New York 10007

Re: Salas v. 99 Cents for You, Inc.
07 Civ. 3430

Dear Magistrate Judge Peck:

I represent the defendant, 99 Cents for You, Inc., in the above-referenced action. On behalf of both parties, I write to inform the Court that a settlement has been reached in this action. It is my understanding that the pending motion for class representation, filed by plaintiff, would be rendered moot, and that the conference scheduled for September 20, 2007 will be cancelled. Because the parties have agreed to extend the settlement payments over a 90 day period, Plaintiff's counsel, Justin Zeller, requests that this Court retain jurisdiction over this action for 90 days. The parties expect to submit a stipulation of discontinuance for the Court's endorsement within the next week. Thank you for your consideration.

Respectfully submitted,


ANTONIA KOUSOULAS

cc: Justin A. Zeller, Esq.
(via Facsimile 917-421-9387)